



1A12 Rec'd PCT/PTO 12 APR 2007

PTO/SB/21 (08-03)

## TRANSMITTAL FORM

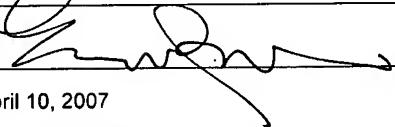
(to be used for all correspondence after initial filing)

|  |    |                        |                  |
|--|----|------------------------|------------------|
|  |    | Application Number     | 10/581,538       |
|  |    | Filing Date            | June 2, 2006     |
|  |    | First Named Inventor   | DeFrees, Shawn   |
|  |    | Art Unit               | 1654             |
|  |    | Examiner Name          | Not Yet Assigned |
| Total Number of Pages in This Submission | 80 | Attorney Docket Number | 40853-5146-US    |

### ENCLOSURES (Check all that apply)

|  |   |  |
|--|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Response to Missing Parts/ Incomplete Application<br><input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition to Submit Color Drawings<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) | <input type="checkbox"/> After Allowance Communication to Group<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s)<br><i>(please identify below):</i><br>• Return postcard<br>• Declaration<br>• Supplemental Application Data Sheet<br>• Power of Attorney and Correspondence Address Indication Form<br>• 3.73(b) and copy of Assignment<br>• copy of Notice |
| Remarks  |   | The Commissioner is authorized to charge any additional fees to Deposit Account 50-0310.   |

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

|                    |   |  |
|--------------------|---|--|
| Firm or Individual | Morgan, Lewis & Bockius LLP<br>Edward J. Baba                                       |  |
| Signature          |  |  |
| Date               | Reg. No. 52,581<br>April 10, 2007   |  |

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

|                       |   |      |                |
|-----------------------|---|------|----------------|
| Typed or printed name | Kathryn A. Deglantoni   |      |                |
| Signature             |  | Date | April 10, 2007 |

40853-01-5140-15  
KAW  
PCT  
CR2

## UNITED STATES PATENT AND TRADEMARK OFFICE

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| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
|-----------------------------|-----------------------|------------------|
| 10/581,538                  | Shawn Defrees         | 408535146US      |

43850  
 MORGAN, LEWIS & BOCKIUS LLP (SF)  
 2 PALO ALTO SQUARE  
 3000 El Camino Real, Suite 700  
 PALO ALTO, CA 94306



INTERNATIONAL APPLICATION NO.

PCT/US04/40709

| I.A. FILING DATE | PRIORITY DATE |
|------------------|---------------|
| 12/03/2004       | 12/03/2003    |

CONFIRMATION NO. 6190  
 371 FORMALITIES LETTER



\*CC000000022482785\*

Date Mailed: 02/13/2007

## NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 06/02/2006
- Copy of the International Search Report filed on 06/02/2006
- Copy of IPE Report filed on 06/02/2006
- Preliminary Amendments filed on 06/02/2006
- Information Disclosure Statements filed on 06/02/2006
- U.S. Basic National Fees filed on 06/02/2006
- Priority Documents filed on 06/02/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$65** for a Small Entity:

DOCKETED VS  
 FILE MISSING PARTS  
 DUE 13 APR 2007  
 FINAL 13 SEP 2007

RECEIVED AND FILED  
 FEB 21 2007  
 PATENT & TRADEMARK OFFICE  
 PALO ALTO, CALIFORNIA

- \$65 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

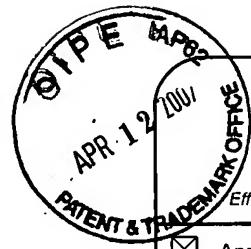
CHARITTA A BURT

Telephone: (703) 308-9140 EXT 207

**PART 1 - ATTORNEY/APPLICANT COPY**

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/581,538                  | PCT/US04/40709                | 408535146US      |

FORM PCT/DO/EO/905 (371 Formalities Notice)



**FEES TRANSMITTAL  
for FY 2006**

Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** (\$ 65.00)

|                   |   |                                   |        |           |                |
|-------------------|---|-----------------------------------|--------|-----------|----------------|
| SUBMITTED BY      |   | Complete (if applicable)          |        |           |                |
| Name (Print/Type) | Edward J. Baba  | Registration No. (Attorney/Agent) | 52,581 | Telephone | (415) 442-1000 |
| Signature         |  |                                   |        | Date      | April 10, 2007 |